

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EDWARD J. NICHOLAS,

Plaintiff,

v.

DISTRICT ATTY OF DAUPHIN COUNTY, et al.,

Defendants.

Civil Action No. 07-65 Erie

MEMORANDUM ORDER

This habeas action was received by the Clerk of Court on April 5, 2007, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 6], filed on April 16, 2007, recommended that the action be transferred to the Middle District of Pennsylvania. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail and on Respondents. Petitioner filed objections on April 17, 2007 [Doc. No. 8]. After de novo review of the motion and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 2nd day of May, 2007;

IT IS HEREBY ORDERED that this action is TRANSFERRED to the United States District Court for the Middle District of Pennsylvania.

The Report and Recommendation [Doc. No. 6] of Magistrate Judge Baxter, filed on April 16, 2007, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge